

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3060
v.)	
)	
OCTAVIO DELVILLAR and)	
FERNANDO NUNEZ,)	ORDER
)	
Defendants.)	
_____)	

Defendants have filed unopposed motions to continue the March 27 trial. Filings 44 and 45.

IT IS ORDERED:

1. The motions are granted in part and trial is continued to April 17, 2006, before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motions, the time between March 20, 2006 and April 17, 2006 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 20th day of March, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge